

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA : SUPERSEDING
INDICTMENT

- v. - :

UNDER SEAL

RODNEY JOHNSON, :
a/k/a "Toree Johnson," : S2 10 Cr. 431 (CM)

a/k/a "Rodney T. Hibbert," :

RONALD R. ANDERSON, :
a/k/a "Shah," :

BRIAN McCLEOD, :
a/k/a "Slim," :

a/k/a "Brian Connelly," :

a/k/a "Joseph King," :

a/k/a "Brian Conley," :

a/k/a "John A. Conley," :

JAMES ROSEMOND, :
a/k/a "Jimmy the Henchman," :

JASON WILLIAMS, :

DERRICK GRANT, :
a/k/a "D," and :

SHAWN WILLIAMS, :

Defendants.

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COUNT ONE

The Grand Jury charges:

1. From in or about 2003, up to and including on or about April 28, 2010, in the Southern District of New York and elsewhere, RODNEY JOHNSON, a/k/a "Toree Johnson," a/k/a "Rodney T. Hibbert," RONALD R. ANDERSON, a/k/a "Shah," and BRIAN McCLEOD, a/k/a "Slim," a/k/a "Brian Connelly," a/k/a "Joseph King," a/k/a "Brian Conley," a/k/a "John A. Conley," the defendants, and others known and unknown, intentionally and knowingly did

combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that RODNEY JOHNSON, a/k/a "Toree Johnson," a/k/a "Rodney T. Hibbert," RONALD R. ANDERSON, a/k/a "Shah," and BRIAN McCLEOD, a/k/a "Slim," a/k/a "Brian Connelly," a/k/a "Joseph King," a/k/a "Brian Conley," a/k/a "John A. Conley," the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

~~(Title 21, United States Code, Section 846).~~

COUNT TWO

The Grand Jury further charges:

4. On or about April 28, 2010, in the Southern District of New York and elsewhere, RODNEY JOHNSON, a/k/a "Toree Johnson," a/k/a "Rodney T. Hibbert," and RONALD R. ANDERSON, a/k/a "Shah," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the offense charged in Count One of this Indictment, knowingly did use and carry firearms, and, in

furtherance of such crime, did possess firearms, and did aid and abet the use, carrying and possession of firearms, to wit, a .45 caliber Masterpiece Arms semi-automatic pistol, and a .40 caliber Heckler and Koch semi-automatic pistol.

(Title 18, United States Code,
Sections 924(c)(1)(A)(i) and 2.)

COUNT THREE

The Grand Jury further charges:

5. On or about April 28, 2010, in the Southern District of New York, RODNEY JOHNSON, a/k/a "Toree Johnson," a/k/a "Rodney T. Hibbert," the defendant, after having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, unlawfully and knowingly did possess in and affecting commerce, a firearm, to wit, a .40 caliber Heckler and Koch semi-automatic pistol, which had previously been shipped and transported in interstate commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT FOUR

The Grand Jury further charges:

6. In or about September 2009, in the Southern District of New York and elsewhere, RODNEY JOHNSON, a/k/a "Toree Johnson," a/k/a "Rodney T. Hibbert," BRIAN McCLEOD, a/k/a "Slim," a/k/a "Brian Connelly," a/k/a "Joseph King," a/k/a "Brian Conley," a/k/a "John A. Conley," JAMES ROSEMOND, a/k/a "Jimmy the

Henchman," JASON WILLIAMS, DERRICK GRANT, a/k/a "D," and SHAWN WILLIAMS, the defendants, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to travel in and cause another to travel in interstate commerce, and to use and cause another to use the mail and any facility of interstate commerce, with intent that a murder be committed in violation of the laws of any State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, to wit, JOHNSON, ROSEMOND, and others, known and unknown, agreed and did pay McCLEOD, GRANT, and others, known and unknown, to kill Lowell Fletcher in exchange for narcotics, which arrangements depended in part upon communications through a facility of interstate commerce, and which resulted in the death of Lowell Fletcher.

(Title 18, United States Code, Section 1958.)

COUNT FIVE

The Grand Jury further charges:

7. On or about September 27, 2009, in the Southern District of New York, RODNEY JOHNSON, a/k/a "Toree Johnson," a/k/a "Rodney T. Hibbert," BRIAN McCLEOD, a/k/a "Slim," a/k/a "Brian Connelly," a/k/a "Joseph King," a/k/a "Brian Conley," a/k/a "John A. Conley," JAMES ROSEMOND, a/k/a "Jimmy the Henchman," JASON WILLIAMS, DERRICK GRANT, a/k/a "D," and SHAWN WILLIAMS, the defendants, and others known and unknown, during

and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the offense charged in Count Four of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, to wit, a .22 caliber gun, and in the course of that crime did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, JOHNSON, McCLEOD, ROSEMOND, JASON WILLIAMS, GRANT, and SHAWN WILLIAMS, caused the death of Lowell Fletcher, who was shot and killed in the vicinity of Jerome Avenue and Mount Eden Avenue in the Bronx, New York.

(Title 18, United States Code, Sections
924(j), 924(c)(1)(C)(i), and 2.)

FORFEITURE ALLEGATIONS

8. As a result of committing the controlled substance offense alleged in Count One of this Indictment, RODNEY JOHNSON, a/k/a "Toree Johnson," a/k/a "Rodney T. Hibbert," RONALD R. ANDERSON, a/k/a "Shah," and BRIAN McCLEOD, a/k/a "Slim," a/k/a "Brian Connelly," a/k/a "Joseph King," a/k/a "Brian Conley," a/k/a "John A. Conley," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the narcotics violation and any and all property used or intended to be used in any manner or

part to commit and to facilitate the commission of the narcotics violation alleged in Count One of this Indictment.

9. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

~~it is the intention of the United States, pursuant to 21 U.S.C. §~~
853(p), to seek forfeiture of any other property of said
defendant up to the value of the above forfeitable property.

(Title 21, United States Code,
Sections 856(a)(2) and 853.)

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PREET BHARARA
United States Attorney

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Defendants.

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(Title 21, United States Code,
Section 846; Title 18, United States
Code, Sections 922, 924, 1958 and 2.)

PREET BHARARA

United States Attorney.

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